

September 7, 2005

Pat Evangelista
US EPA
290 Broadway
New York, NY

**Re: Acceptance of Asbestos Abatement/WTC Dust Cleanup Portion of
LMDC Deconstruction Plan, dated September 7, 2005
Vacant High Rise Office Building
130 Liberty Street
New York, NY**

Dear Pat,

The Department has reviewed the September 7, 2005 LMDC Deconstruction Plan, as it relates to asbestos material (ACM) removal and cleanup of the WTC dust/residue.

The Deconstruction Plan, including both the Regional Scaffolding/Safeway and Bovis Waste Storage & Transportation Plans, is acceptable to the Department. The Deconstruction Plan appears to be in conformance with current site-specific variance decisions, including reopenings/amendment decisions and clarifications for this project. The Department has discussed aspects of the plan with the New York City Department of Environmental Protection (DEP), and DEP concurs with the Department's acceptance of the plan.

If an unanticipated situation is encountered during the ACM removal and WTC dust/residue cleanup portion of the overall deconstruction project, which requires additional relief from 12 NYCRR 56, the owner's asbestos project designer firm must submit a reopening request to the existing site-specific variance decision as necessary, or submit an additional site-specific variance petition to address the situation. If you have any questions please contact our office at (518) 457-1536.

Sincerely,



Christopher G. Alonge, P.E.
Senior Safety and Health Engineer

cc Krish Radhakrishnan, P.E. - NYC DEP
Gil Gillen - USDOL/OSHA
Robert Lulo - NYC DOB
Richard Fram - NYS DEC
Norma Aird - NYS DOL
04-0427, 05-0813